

AO 120 (Rev. 3/04)

TO: **Mail Stop 8**
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**REPORT ON THE
 FILING OR DETERMINATION OF AN
 ACTION REGARDING A PATENT OR
 TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Delaware on the following ☒ Patents or Trademarks:

DOCKET NO. 09cv580 JJF	DATE FILED 8/6/2009	U.S. DISTRICT COURT DISTRICT OF DELAWARE
PLAINTIFF Ethicon Endo-Surgery Inc.		DEFENDANT Hologic Inc. and Suros Surgical Systems Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US 7,442,171 B2	10/28/2008	Ethicon Endo-Surgery Inc.
2 5,928,164	7/27/1999	Ethicon Endo-Surgery Inc.
3 US 6,752,768 B2	6/22/2004	Ethicon Endo-Surgery
4 US 6,428,487 B1	8/6/2002	Ethicon Endo-Surgery Inc.
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT See Attached Order of Dismissal

CLERK PETER T. DALLEO, CLERK OF COURT	(BY) DEPUTY CLERK <i>Nicole M. Selinger</i>	DATE 2/25/2010
--	--	-------------------

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ETHICON ENDO-SURGERY, INC.,)

Plaintiff,)

v.)

C.A. No. 09-580 (JJF)

HOLOGIC, INC., and)
SUROS SURGICAL SYSTEMS, INC.,)

Defendants.)


ORDER OF DISMISSAL

On request of Plaintiff Ethicon Endo-Surgery, Inc. ("EES") and Defendants Hologic Inc. and Suros Surgical Systems, Inc. ("Hologic"), IT IS HEREBY ORDERED:

1. EES's complaint and claims against Hologic are dismissed with prejudice as to the products at issue in this suit.
2. Hologic's counterclaims and complaint for declaratory judgment against EES are dismissed with prejudice as to the products at issue in this suit.
3. Each party shall bear its own costs, expenses and attorneys' fees.

SO ORDERED,

Dated: February 24, 2010


The Honorable Joseph J. Farnan, Jr.